enforce standards of weights and measures, regulate trade and commerce in weights, measures and other goods which are sold or distributed by weight, measure or number and for matter connected therewith or incidental thereto.

The question was put and the motion was adopted.

SHRI V. NARAYANASAMY: Sir, I introduce the Bill.

The Representation of the People (Second Amendment) Bill, 2008

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): Sir, I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951.

The question was put and the motion was adopted.

SHRI H.R. BHARDWAJ: Sir, I introduce the Bill.

The Post Graduate Institute of Medical Education and Research, Chandigarh (Amendment) Bill, 2008

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMDOSS): Sir, I beg to move for leave to introduce a Bill further to amend the Post-Graduate Institute of Medical Education and Research, Chandigarh Act, 1966.

The question was put and the motion was adopted.

DR. ANBUMANI RAMDOSS: Sir, I introduce the Bill.

RE: THE ARREST OF MR. VAIKO AND HIS COLLEAGUES

MR. DEPUTY CHAIRMAN: Mr. Ram Jethmalani, you had given a notice for Calling Attention. Calling Attention has to be sent to the Ministry. When we get reply from there, then, only it is listed. So, now, we can't take up Calling Attention.

SHRI RAM JETHMALANI (Nominated): Sir, then, this Calling Attention will lose all its importance if the House is adjourned. It is a matter of some importance. How does it matter, Sir? It is a technicality only whether it is taken up time 'a' or time 'b'. Sir, it was agreed that it would be taken up.

MR. DEPUTY CHAIRMAN: There will be nobody to answer it.

SHRI RAM JETHMALANI: Sir, I will take two minutes. I don't want an answer. It should be brought to the attention of this House. And, somebody will reply to it if they want it. Sir, I must say this, purely, as a devoted servant of the Constitution and almost a careful and vigilant watchdog of its values. I have to bring to the attention of this House this issue regarding the arrest of Mr. Vaiko and his colleagues. ...*(Interruptions)*...

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, it is not a State subject. Sir, how could it be discussed here? ...*(Interruptions)*... I am asking the Chair. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Please listen to him. He is making a Constitutional issue.

SHRI RAM JETHMALANI: Kindly hear what I have to say. Sir, the arrest is unlawful, illegal and contrary to the Constitution of India. Sedition is an offence against the sovereignty of India and so are offences under the Unlawful Activities Prevention Act. Sir, the LITE have done some unlawful acts in India in the past, but, at present, it is involved in activities in and against Sri Lanka, which may well be detrimental to the sovereignty of our neighbour. But the Indian Constitution guarantees freedom of speech and a major democracy must learn to live with speech which it does not like. It has been authoritatively ruled that no offence of sedition can be committed unless there is advocacy of violence or disorder. Sir, only in 1997, when a person who went round the country and alleged that the Indian Army had committed atrocities on Muslims in Kashmir, the Supreme Court ruled that the civilised law of India did not consider it an offence and the person was not found guilty of any offence. Mr. Vaiko is reported to have said, by way of advice, to the Sri Lankan Government that war-like activities against LTTE should be stopped. ...*(Interruptions)*..

SHRI TIRUCHI SIVA: Sir, it is not a State subject. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: He is raising some Constitutional issue. ...*(Interruptions)*... Let me hear. ...*(Interruptions)*...

SHRI RAM JETHMALANI: It is a plea for peaceful negotiations to settle the grievances. ...(Interruptions)... There is no hint of assisting or instigating the criminal operations of the LTTE. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, you said that he is raising a Constitutional issue. ...*(Interruptions)*...

SHRI RAM JETHMALANI: Please understand, Mr. Siva. ...*(Interruptions)*..

SHRI B.S. GNANADESIKAN: (Tamil Nadu): Sir, it should be expunged. ...*(Interruptions)*...

SHRI RAM JETHMALANI: On the contrary, Sir, I plead that we should realise that there is a striking parallel between the activities of the LTTE in Sri Lanka and the activities of what is happening in Kashmir today. ...*(Interruptions)*... On the contrary, Sir, we must be careful that we do not instigate any unlawful activity, violence ...*(Interruptions)*... in this country or in any other country. ...*(Interruptions)*... Sir, it is a question of Constitutional propriety. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Jethmalani, now that you have said about this, this is a ...*(Interruptions)*...

SHRI RAM JETHMALANI: Sir, India will not assist or encourage any secessionist movement inside our borders and outside our borders. ...*(Interruptions)*...

SHRI B.S. GNANADESIKAN: Sir, it cannot be allowed. ...*(Interruptions)*...

SHRI RAM JETHMALANI: And, Sir, we will not suppress free speech in this country beyond legitimate limits. ...*(Interruptions)*... In a Constitutional democracy, it is the highest right. ...*(Interruptions)*...

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI V. NARAYANASAMY): Mr. Deputy Chairman, Sir, ... *(Interruptions)*...

MR. DEPUTY CHAIRMAN: Do you want to respond? ...*(Interruptions)*... I have already said that nobody would respond. ...*(Interruptions)*... But if you want to respond, then, ...*(Interruptions)*...

SHRI V. NARAYANASAMY: Sir, he is raising an issue. Sir, any organisation, or any individual who has been supporting a banned LTTE organisation in this country would be severely dealt with by the State Government. There is no doubt about it.

MR. DEPUTY CHAIRMAN: Hon. Members, there is a consensus that the Short Duration Discussion should be postponed. So, I adjourn the House to meet on 10th December, 2008, at 11.00 a.m.

The House then adjourned at three minutes past six of the clock till eleven of the clock on Wednesday, the 10th December, 2008.